IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY & INTESTATE JURISDICTION

NOTICE OF MOTION NO.66 OF 2005

IN

CONVERTED SUIT NO. 38 OF 2004

IN

PETITION NO. 506 OF 2004

Raksha Dave. ...Plaintiff/Petitioner.

vs.

Girish Mhatre. ...Defendant/Caveator.

Mr.S.Ashwinikumar, i/b.M/s.Ashwinikumar & Co. for Petitioner/Plaintiff.

Mr.Sandip Parikar i/b. Dari Shah & Co. for Defendant/Caveator.

CORAM: D.K.DESHMUKH,J.

DATED: 20th July, 2006.

P.C.:-

1. The power of the Court to appoint a Commissioner is not be used for collection of evidence. If the applicant wants to dispute the signature then it is for him to get the document examined by his own expert and to examine that expert as his witness. For that purpose Court's power to appoint the Commissioner cannot be used. The notice of motion is disposed of.